

FD-440 (Rev. 8-2001) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Jesus Abraham, Individually and on Behalf of All  
Other Persons Similarly Situated

v.

Moshe Harizy d/b/a Alibaba Restaurant

SUMMONS IN A CIVIL ACTION

08 CV 6603  
CASE NUMBER

TO: (Name and address of Defendant)

Moshe Harizy, Alibaba Restaurant, 515 Amsterdam Avenue, New York,  
New York, 10024

JUDGE LYNCH

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jeffrey M. Goldfarb, Esq., Goldfarb & Associates, 150 East 18th Street,  
Suite 9HR, New York, New York, 10003

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

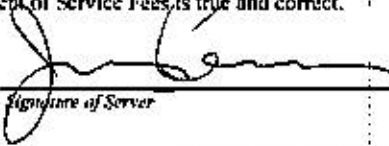
JUL 24 2008

CLERK

DATE

*Catherine Dapley*  
BY: DEPUTY CLERK

SDAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE <span style="float: right;">08 CU 6603</span>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	7/31/2008 939 AM
NAME OF SERVER (PRINT) <u>Juan Perez</u>	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>Alibon Restaurant, 75 Amsterdam Ave NY NY 10024</u> <u>Mike Harizy 171 W Gray Her Beach / 516 545 159-60/161-2006155</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>7/31/2008</u> <small>Date</small>	 <small>Signature of Server</small>	
<div style="text-align: center;">             173 North Main #376              Sayville, NY 11782  <hr/> <small>Address of Server</small> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure